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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/037,685	10/24/2001	Travis J. Parry	10006365-1	8293

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EXAMINER	
POKRZYWA, JOSEPH R	
ART UNIT	**PAPER NUMBER**
2622	

DATE MAILED: 02/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/037,685	PARRY ET AL.	
	Examiner	Art Unit	
	Joseph R. Pokrzywa	2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-28* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-28* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *24 October 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *10/24/01*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Information Disclosure Statement

1. The references listed in the Information Disclosure Statement submitted on 10/24/01 have been considered by the examiner (see attached PTO-1449).

Drawings

2. The drawings were received on 10/24/01, and are acceptable by the examiner.

Claim Objections

3. **Claim 22** is objected to because of the following informalities:

In ***claim 22***, line 6, a period should replace the semicolon.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. **Claims 1-28** are rejected under 35 U.S.C. 102(e) as being anticipated by Kakigi *et al.* (U.S. Patent Application Publication US 2002/0054350).

Regarding ***claim 1***, Kakigi discloses a method of automated printing of an image posted to a network site (steps S201 and S202, see Figs. 37-40), with the method comprising defining a print criterion (step S203, see Figs. 5, 38, 39, and 46, paragraphs 0510-0514), registering a user printer with the network site (see Figs. 38 and 39, paragraphs 0478-0487), determining if the image has been posted to the network site (steps S203-S208), capturing the image from the network site to the user printer (steps S209-S212), and automatically printing the image on the user printer according to the print criterion (steps S210-S212, see Figs. 37, 38, and 49, paragraphs 0472-0493).

Regarding ***claim 2***, Kakigi discloses the method discussed above in claim 1, and further teaches that registering the user printer includes defining a printer network address (paragraphs 0477-0487), and wherein defining the printer network address includes defining a unique address associated with the user printer and registering the printer network address with the network site (paragraphs 0477-0487).

Regarding ***claim 3***, Kakigi discloses the method discussed above in claim 2, and further teaches that the defining the network address includes defining the unique address associated with the user printer as an IP address (paragraphs 0477-0478).

Regarding ***claim 4***, Kakigi discloses the method discussed above in claim 1, and further teaches of defining a user interface, and wherein defining the print criterion includes defining the print criterion via the user interface (paragraphs 0481-0494).

Regarding ***claim 5***, Kakigi discloses the method discussed above in claim 4, and further teaches that the print criterion includes at least one of registering user information, sender

information, printing options, and image delivery options (paragraphs 0189-0194, and 0488-0494, see Fig. 5).

Regarding ***claim 6***, Kakigi discloses the method discussed above in claim 5, and further teaches that registering the user information and the sender information includes providing usernames and passwords for a user and a sender (paragraphs 0539-0543, and 0609-0614), together with the printer network address and the network site address, wherein capturing the image from the network site to the user printer includes logging on to the network site identified by the network site address with the username and the password of the user, and the image being transferred from the network site to the user printer identified by the printer network address (paragraphs 0610-0616).

Regarding ***claim 7***, Kakigi discloses the method discussed above in claim 5, and further teaches that registering the printing options includes selecting at least one of a file format input, a file format output, a print medium size, a print medium type, a number of copies, a printing layout, a color printing option, and a finishing option (paragraphs 0189-0194, and 0488-0494, see Fig. 5).

Regarding ***claim 8***, Kakigi discloses the method discussed above in claim 5, and further teaches that registering the image delivery options includes selecting at least one delivery option, a gallery, and an image size (paragraphs 0189-0194, and 0488-0494, see Fig. 5).

Regarding ***claim 9***, Kakigi discloses the method discussed above in claim 1, and further teaches that registering the user printer includes defining a network communications link between the user printer and the network site, and registering the user printer with the network site via the network communications link (paragraphs 0477-0487).

Regarding ***claim 10***, Kakigi discloses the method discussed above in claim 1, and further teaches that defining the network site to be a website (paragraphs 0477-0487, see Figs. 37-40).

Regarding ***claim 11***, Kakigi discloses the method discussed above in claim 10, and further teaches that registering the user printer with the network site includes defining the user printer to include a printing system controller and a web access mechanism (paragraphs 0477-0487, see Figs. 37-40).

Regarding ***claim 12***, Kakigi discloses the method discussed above in claim 9, and further teaches that capturing the image from the network site to the user printer and automatically printing the image on the user printer include capturing the image via the network communications link (paragraphs 0477-0487, see Figs. 37-40).

Regarding ***claim 13***, Kakigi discloses the method discussed above in claim 1, and further teaches that determining if the image has been posted to the website includes defining a master image list as a list of downloaded images from the website and comparing the master image list with images posted to the website (paragraphs 0487-0491, and 0531-0538).

Regarding ***claim 14***, Kakigi discloses the method discussed above in claim 12, and further teaches that comparing the master image list with images posted to the website further includes retrieving an image list of images posted to the website (paragraphs 0487-0491, and 0531-0538).

Regarding ***claim 15***, Kakigi discloses the method discussed above in claim 14, and further teaches that retrieving the image list includes the user printer sending a query to the website according to the print criterion via the network communications link (paragraphs 0487-0491, and 0531-0538).

Regarding ***claim 16***, Kakigi discloses the method discussed above in claim 15, and further teaches that comparing the master image list with all images posted to the website includes comparing the master image list with the image list retrieved from the website, generating via the printing system controller an image request that identifies the image to be printed, and updating the master image list to include the image after it has successfully been delivered to the user (paragraphs 0487-0491, and 0531-0538).

Regarding ***claim 17***, Kakigi discloses the method discussed above in claim 16, and further teaches that capturing the image from the website includes the image being transferred from the website to the user printer according to the image request via the network communications link (paragraphs 0482-0491, and 0531-0538).

Regarding ***claim 18***, Kakigi discloses the method discussed above in claim 17, and further teaches that the image being transferred from the website to the user printer includes the website receiving the image request from the user printer via the network communication link (paragraphs 0482-0491, and 0531-0538).

Regarding ***claim 19***, Kakigi discloses the method discussed above in claim 1, and further teaches that automatically printing the image on the user printer includes translating the image captured from the network site into a print job (paragraphs 0489-0494).

Regarding ***claim 20***, Kakigi discloses the method discussed above in claim 19, and further teaches that automatically printing the image on the user printer further includes executing the print job by printing the image on the user printer and thereby delivering the image to the user (paragraphs 0489-0494).

Regarding ***claim 21***, Kakigi discloses a method of automated printing of a digital photograph posted to a website (steps S201 and S202, see Figs. 37-40), with the method comprising defining a print criterion (step S203, see Figs. 5, 38, 39, and 46, paragraphs 0510-0514), registering a user printer with the website (see Figs. 38 and 39, paragraphs 0478-0487), determining if the digital photograph has been posted to the website (steps S203-S208), capturing the digital photograph from the website to the user printer (steps S209-S212), and automatically printing the digital photograph on the user printer according to the print criterion (steps S210-S212, see Figs. 37, 38, and 49, paragraphs 0472-0493).

Regarding ***claim 22***, Kakigi discloses a system for automated printing of an image posted to a network site on a user printer (see Figs. 37-40), the system comprising a user printer including a printing system controller (see Fig. 37, printer 37), an embedded web access mechanism (see Figs. 38 and 39, paragraphs 0478-0487), and a user interface (see Figs. 39 and 40), wherein the user printer is configured to automatically capture and print an image posted to a network site according to a print criterion predefined via the user interface (steps S209-S212, see Figs. 37, 38, and 49, paragraphs 0472-0493).

Regarding ***claim 23***, Kakigi discloses the system discussed above in claim 22, and further teaches that the user printer contains the printing system controller, the embedded web access mechanism with an embedded application allowing the user printer to communicate with the network site regardless of the network site's operating platform, and a user interface (paragraphs 0480-0506).

Regarding ***claim 24***, Kakigi discloses the system discussed above in claim 23, and further teaches that the printing system controller includes a processor, a memory, device-specific

hardware, and input/output circuitry, wherein the embedded web access mechanism includes a printer web page, a printer web server, and a network interface (see Figs. 8, 13, and 37-40).

Regarding ***claim 25***, Kakigi discloses the system discussed above in claim 24, and further teaches that the web server is adapted to generate the printer web page, wherein the printer web page is configured to provide the user interface, and wherein the user interface is configured to provide a control communications link to the printing controller for defining the print criterion (see Figs. 39 and 40, paragraphs 0487-0506).

Regarding ***claim 26***, Kakigi discloses the system discussed above in claim 21, and further teaches that the printer is configured to communicate with the network site via the network communications link for registering the user printer with the network site, determining if the image has been posted to the network site, and capturing the image from the network site to the user printer (see Figs. 39 and 40, paragraphs 0487-0506).

Regarding ***claim 27***, Kakigi discloses the system discussed above in claim 24, and further teaches that the embedded web access mechanism is configured to permit access to the printer web page by the network site via the network communications link (see Figs. 37-40, paragraphs 0487-0506).

Regarding ***claim 28***, Kakigi discloses a computer-readable medium having computer-readable instructions (paragraphs 0496-0506) for performing a method of automated printing of an image posted to a network site (steps S201 and S202, see Figs. 37-40), with the method comprising defining a print criterion (step S203, see Figs. 5, 38, 39, and 46, paragraphs 0510-0514), registering a user printer with the network site (see Figs. 38 and 39, paragraphs 0478-0487), determining if the image has been posted to the network site (steps S203-S208), capturing

the image from the network site to the user printer (steps S209-S212), and automatically printing the image on the user printer according to the print criterion (steps S210-S212, see Figs. 37, 38, and 49, paragraphs 0472-0493).

Citation of Pertinent Prior Art

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Suzuki *et al.* (U.S. Patent Application Publication Number US 2003/0110413) discloses a system that allows data to be transferred to a printer based on inputted information from an operation screen; and

Buckley (U.S. Patent Number 6,542,173) discloses a system that renders print job based on selected parameter options.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joe Pokrzywa whose telephone number is (703) 305-0146. The examiner can normally be reached on Monday-Friday, 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (703) 305-4712. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Joseph R. Pokrzywa
Examiner
Art Unit 2622

jrp